

VZCZCXYZ0000
PP RUEHWEB

DE RUEHRH #6730 2361840
ZNY CCCCC ZZH
P 241840Z AUG 06
FM AMEMBASSY RIYADH
TO RUEHC/SECSTATE WASHDC PRIORITY 0919
INFO RUEHJI/AMCONSUL JEDDAH 7621

C O N F I D E N T I A L RIYADH 006730

SIPDIS

SIPDIS

E.O. 12958: DECL: 08/23/2016
TAGS: [PGOV](#) [PREL](#) [PINR](#) [KISL](#) [PCUL](#) [SA](#)
SUBJECT: COURTS IGNORE SHARIA RULING, ANNUL MARRIAGE BASED
ON TRIBE

Classified By: Deputy Chief of Mission Michael Gfoeller
for reasons 1.4 (b) and (d).

¶1. (U) Three years and two children into a happy marriage, a Saudi couple in Al-Jouf, a city in the northern part of the Kingdom, have seen their marriage annulled on the grounds that it violated social custom. According to several media reports, the woman's half-brother filed the lawsuit in August 2005 without her knowledge. He claimed that the marriage was void because the woman is a member of a noble Saudi tribe, while her husband is non-tribal. The judge agreed and ignored the fact that permission had been granted by both the woman's father and the local Islamic court. He ignored the father's permission because the father had died three months prior to the lawsuit. The court did not give a specific reason for ignoring the Islamic court's role in the marriage, but cited tribal issues as trumping religious ones, stating that the marriage was illegal because the man's social status was not equal to the woman's status.

¶2. (C) The court decreed the divorce final and ordered the woman to live with her half-brother. She refused and has chosen to stay in jail rather than live with her siblings. She reportedly said, "I prefer the protection of the government to living with brothers who destroyed my happy family life." The wife's comment about protection here alludes to the possibility that her brother might have tried to kill her and her husband for the disgrace that his low social status had supposedly brought upon their family.

¶3. (C) COMMENT: The ruling of the Al-Jouf court indicates that tribal norms and customs in practice often outweigh Shari'a law. It also reveals the deep-seated prejudices many Saudis have against non-tribal individuals, who are known as "Khudairees." The tribal nature of Saudi society remains strong, despite modernization and religious values, although this aspect of Saudi life is only rarely reported in the media. END COMMENT.
OBERWETTER